

By: Anchia

H.B. No. 1888

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the definition of an at-risk development for the  
3 purpose of awarding low income housing tax credits.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 2306.6702(a)(5), Government Code, is  
6 amended to read as follows:

7 (5) "At-risk development" means:

8 (A) a development that:

9 (i) [~~(A)~~] has received the benefit of a  
10 subsidy in the form of a below-market interest rate loan, interest  
11 rate reduction, rental subsidy, Section 8 housing assistance  
12 payment, rental supplement payment, rental assistance payment, or  
13 equity incentive under the following federal laws, as applicable:

14 (a) [~~(i)~~] Sections 221(d)(3) and (5),  
15 National Housing Act (12 U.S.C. Section 1715l);

16 (b) [~~(ii)~~] Section 236, National  
17 Housing Act (12 U.S.C. Section 1715z-1);

18 (c) [~~(iii)~~] Section 202, Housing Act  
19 of 1959 (12 U.S.C. Section 1701q);

20 (d) [~~(iv)~~] Section 101, Housing and  
21 Urban Development Act of 1965 (12 U.S.C. Section 1701s);

22 (e) [~~(v)~~] the Section 8 Additional  
23 Assistance Program for housing developments with HUD-Insured and  
24 HUD-Held Mortgages administered by the United States Department of

1 Housing and Urban Development;

2 (f) [~~(vi)~~] the Section 8 Housing  
3 Assistance Program for the Disposition of HUD-Owned Projects  
4 administered by the United States Department of Housing and Urban  
5 Development;

6 (g) [~~(vii)~~] Sections 514, 515, and  
7 516, Housing Act of 1949 (42 U.S.C. Sections 1484, 1485, and 1486);  
8 or

9 (h) [~~(viii)~~] Section 42, Internal  
10 Revenue Code of 1986 (26 U.S.C. Section 42); and

11 (ii) [~~(B)~~] is subject to the following  
12 conditions:

13 (a) [~~(i)~~] the stipulation to maintain  
14 affordability in the contract granting the subsidy is nearing  
15 expiration; or

16 (b) [~~(ii)~~] the federally insured  
17 mortgage on the development is eligible for prepayment or is  
18 nearing the end of its term; or

19 (B) a development that proposes to rehabilitate  
20 or reconstruct housing units that:

21 (i) are owned by a public housing authority  
22 and receive assistance under Section 9 of the National Housing Act  
23 (12 U.S.C. Section 1706d); or

24 (ii) received assistance under Section 9 of  
25 the National Housing Act (12 U.S.C. Section 1706d) and:

26 (a) are proposed to be disposed of or  
27 demolished by a public housing authority; or

